

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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In re:

NATIONAL FORGE COMPANY, et al.,

Debtor.

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OFFICIAL COMMITTEE OF UNSECURED  
CREDITORS OF NATIONAL FORGE  
COMPANY,

Civil No. 04-21 Erie

Plaintiff,

and

OFFICIAL COMMITTEE OF RETIREES  
OF NATIONAL FORGE COMPANY,

Intervenors,

v.

E. ROGER CLARK, both Individually and as  
an Officer and Director of National Forge  
Company, et al.,

Defendants.

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MOTION OF DEFENDANTS E. ROGER CLARK, MAURICE J. CASHMAN,  
DANA BEYELER AND ROBERT A. KAEMMERER FOR SUMMARY  
JUDGMENT AS TO COUNTS I THROUGH VII OF THE AMENDED COMPLAINT

Defendants E. Roger Clark, Maurice J. Cashman, Dana Beyeler and Robert A.

Kaemmerer hereby move, pursuant to Fed. R. Civ. P. 56, for entry of an Order granting them summary judgment on the grounds that the causes of action alleged by the Plaintiff in Counts I, II, III and VII of its Amended Complaint are barred by Bankruptcy Code § 546(e) and the causes of action alleged in Counts IV, V and VI thereof are time-barred. Arguments in support of these grounds are fully set forth in the Brief that accompanies this Motion.

Dated: September 26, 2005

Respectfully submitted,

/s/ Erik Sobkiewicz

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Beyeler and Robert A. Kaemmerer